

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 143

BY RESOURCES AND CONSERVATION COMMITTEE

AN ACT

RELATING TO FISH AND GAME; AMENDING SECTION 36-404, IDAHO CODE, TO PROVIDE FOR NONRESIDENT DISABLED COMBINATION LICENSES FOR AMERICAN VETERANS PARTICIPATING IN HUNTS IN ASSOCIATION WITH QUALIFIED ORGANIZATIONS; AMENDING SECTION 36-407, IDAHO CODE, TO PROVIDE THAT CERTAIN LICENSES SHALL BE ISSUED TO NONRESIDENT DISABLED AMERICAN VETERANS PARTICIPATING IN HUNTS IN ASSOCIATION WITH QUALIFIED ORGANIZATIONS AND TO DEFINE A TERM; AMENDING SECTION 36-409, IDAHO CODE, TO PROVIDE FOR NONRESIDENT DISABLED AMERICAN VETERAN GAME TAGS; AND AMENDING SECTION 36-416, IDAHO CODE, TO PROVIDE FOR FEES FOR NONRESIDENT DISABLED COMBINATION LICENSES, TO PROVIDE A QUALIFICATION, TO PROVIDE FOR CERTAIN NONRESIDENT TAGS, TO PROVIDE A QUALIFICATION AND TO CORRECT A CODIFIER'S ERROR.

Be It Enacted by the Legislature of the State of Idaho:

SECTION 1. That Section 36-404, Idaho Code, be, and the same is hereby amended to read as follows:

36-404. CLASSES OF LICENSES. The licenses required by the provisions of this title shall be of eight (8) classes. Classes one (1) through five (5) and eight (8) in this section may be purchased or obtained only by persons who meet residency requirements under the provisions of section 36-202(s) and (t), Idaho Code, or who are valid holders of a lifetime license certificate.

Class 1: Adult Combination -- Hunting -- Fishing -- Trapping Licenses. Licenses to be issued only to persons who are residents of the state of Idaho.

Class 2: Junior Hunting -- Trapping -- Youth Small Game Licenses.

(a) Junior hunting license. Licenses to be issued only to persons who are residents of the state of Idaho and are between twelve (12) and seventeen (17) years of age, inclusive. Provided, that a license may be issued to qualified persons who are eleven (11) years of age to allow the application for a controlled hunt permit; however, said persons shall not hunt until they are twelve (12) years of age.

(b) Junior trapping licenses. Licenses to be issued only to persons who are residents of the state of Idaho and are seventeen (17) years of age or younger.

(c) Youth small game licenses. Licenses to be issued only to qualified persons who are residents of the state of Idaho and are ten (10) or eleven (11) years of age to hunt upland game birds (including turkeys), migratory game birds, cottontail rabbits, huntable furbearers, and unprotected and predatory birds and animals of this state while accompanied in the field by an adult licensed to hunt in the state of Idaho. Provided, that a license may be issued to qualified persons who are nine (9) years of age to allow the application for a controlled hunt turkey permit; however, said persons shall not hunt until they are ten (10) years of age.

1 Class 3: Junior Combination -- Fishing Licenses. Licenses to be issued
2 only to persons who are residents of the state of Idaho between fourteen (14)
3 and seventeen (17) years of age, inclusive.

4 Class 4: Senior Resident Combination License. Licenses to be issued
5 only to persons over sixty-five (65) years of age who have been bona fide res-
6 idents of the state of Idaho for a continuous period of not less than five (5)
7 years last preceding application.

8 Class 5: Resident Lifetime Combination -- Hunting -- Fishing License.
9 Licenses to be issued only to persons who are valid holders of a lifetime li-
10 cense certificate.

11 Class 6: Nonresident Combination -- Hunting -- Fishing -- Trapping --
12 Junior Mentored Hunting -- Youth Small Game -- Youth Hunter Education Gradu-
13 ate -- Disabled Combination License for American Veteran Participating in a
14 Hunt in Association with a Qualified Organization -- Licenses. Licenses re-
15 quired of persons who are nonresidents.

16 Class 7: Duplicate License -- Tag. A license or tag to be issued as a re-
17 placement for an original license or tag lost or mutilated. Said license or
18 tag shall be issued in the same class and type as the original and upon is-
19 suance of such duplicate license or tag the original license or tag shall be-
20 come null and void.

21 Class 8: Resident Hunting and Fishing License with Tags, Permits and
22 Stamps. Licenses to be issued only to persons who meet residency require-
23 ments under the provisions of section 36-202(s) and (t), Idaho Code.

24 SECTION 2. That Section 36-407, Idaho Code, be, and the same is hereby
25 amended to read as follows:

26 36-407. NONRESIDENT COMBINATION, FISHING, HUNTING, AND TRAPPING LI-
27 CENSES -- FEES -- RIGHTS UNDER. Licenses of the sixth class shall be issued to
28 nonresidents in the several kinds and for fees as follows:

29 (a) Nonresident Hunting License. A license issued only to a person
30 twelve (12) years of age or older entitling said person to pursue, hunt,
31 or kill game birds, small game animals, unprotected birds and animals and
32 predatory birds and animals and to purchase game tags as provided in section
33 36-409(b), Idaho Code. Provided, that a license may be issued to qualified
34 persons who are eleven (11) years of age to allow the application for a con-
35 trolled hunt permit; however, said persons shall not hunt until they are
36 twelve (12) years of age. A license of this kind may be had upon payment of a
37 fee as specified in section 36-416, Idaho Code.

38 (b) Nonresident Season Fishing License. A license entitling a person
39 to fish in the public waters of the state. A license of this kind may be had
40 upon payment of a fee as specified in section 36-416, Idaho Code.

41 (c) Nonresident Trapping License. A license entitling a person to trap
42 fur-bearing, unprotected, and predatory animals. A license of this kind may
43 be had upon payment of a fee as specified in section 36-416, Idaho Code, pro-
44 viding the state of residence of said person grants similar trapping license
45 privileges to residents of Idaho.

46 (d) Nonresident Nongame License. A license entitling a person to carry
47 a shotgun or rifle for the protection of livestock, or to pursue, hunt and
48 kill unprotected birds and animals and predatory birds and animals of this
49 state. A license of this kind may be had by a nonresident person who is twelve

1 (12) years of age or older upon payment of a fee as specified in section
2 36-416, Idaho Code. This license shall be valid only during the period of
3 January 1 to August 31 of the calendar year in which issued, unless verified
4 by the director that the licensee requires such a license to authorize him to
5 carry a shotgun or rifle for the protection of livestock, in which case said
6 license shall be valid until December 31 of the year in which issued.

7 (e) Nonresident Small Game Hunting License. A license issued only to
8 a person twelve (12) years of age or older, entitling the person to hunt up-
9 land game birds (to include turkeys), migratory game birds, cottontail rab-
10 bits, huntable furbearers, and unprotected and predatory birds and animals
11 of this state. A person holding this license shall purchase the appropriate
12 required tags and permits, and may not hunt pheasants in an area during the
13 first five (5) days of the pheasant season in that area. A license of this
14 type may be had upon payment of a fee as specified in section 36-416, Idaho
15 Code.

16 (f) Falconry Meet Permit. The director may issue a special permit for a
17 regulated meet scheduled for a specific number of days upon payment of a fee
18 as specified in section 36-416, Idaho Code. Only trained raptors may be used
19 under the special permit issued under the provisions of this subsection.

20 (g) Daily Fishing License -- Resident May Purchase. A license enti-
21 tling a person to fish in the waters of the state on a day-to-day basis. A
22 license of this kind may be had by a resident or nonresident person (the pro-
23 visions of section 36-405, Idaho Code, notwithstanding), upon payment of a
24 fee as specified in section 36-416, Idaho Code, for the first effective day
25 and a fee as specified in section 36-416, Idaho Code, for each consecutive
26 day thereafter.

27 (h) Nonresident Three Day Fishing License with Steelhead or Salmon
28 Permit. A license entitling a nonresident to fish in the waters of the state
29 for a period of three (3) consecutive days for any fish, including steelhead
30 trout or anadromous salmon during an open season for those fish may be had
31 upon payment of a fee as specified in section 36-416, Idaho Code. The three
32 (3) day license holder may fish for any species of fish, steelhead trout and
33 anadromous salmon subject to the limitations prescribed in rules promul-
34 gated by the commission. A nonresident may purchase as many of the licenses
35 provided in this subsection as he desires provided that the nonresident is
36 otherwise eligible to do so.

37 (i) Nonresident Junior Fishing License. A license entitling a nonresi-
38 dent who is less than eighteen (18) years of age to fish in the waters of this
39 state may be had upon payment of a fee as specified in section 36-416, Idaho
40 Code.

41 (j) Nonresident Combination Licenses. A license entitling the per-
42 son to hunt and fish for game animals, game birds, fish and unprotected and
43 predatory animals of the state may be had by a person twelve (12) years of age
44 or older upon payment of a fee as specified in section 36-416, Idaho Code. A
45 license may be issued to a qualified person who is eleven (11) years of age
46 to allow the application for a controlled hunt permit; however, the person
47 shall not hunt until he is twelve (12) years of age.

48 (k) Nonresident Junior Mentored Hunting License. A license entitling a
49 nonresident between twelve (12) and seventeen (17) years of age, inclusive,
50 to hunt game animals, upland game birds (including turkeys), migratory game

birds, cottontail rabbits, and unprotected and predatory birds and animals of this state only when accompanied in the field by the holder of an adult Idaho hunting license. A person holding this license shall purchase the appropriate required tags as provided in section 36-409(b), Idaho Code, and permits. Provided, that a license may be issued to qualified persons who are eleven (11) years of age to allow the application for a controlled hunt permit; however, said persons shall not hunt until they are twelve (12) years of age. A license of this kind may be had upon payment of a fee as specified in section 36-416, Idaho Code.

(l) Nonresident Youth Small Game Licenses -- Hunting. A license entitling a nonresident of ten (10) or eleven (11) years of age to hunt upland game birds (including turkeys), migratory game birds, cottontail rabbits, huntable furbearers, and unprotected and predatory birds and animals of this state only while accompanied in the field by the holder of an adult Idaho hunting license may be had upon payment of a fee as specified in section 36-416, Idaho Code. Provided, that a license may be issued to qualified persons who are nine (9) years of age to allow the application for a controlled hunt turkey permit; however, said persons shall not hunt until they are ten (10) years of age.

(m) Youth Hunter Education Graduate Licenses -- Hunting -- Resident May Purchase. A license entitling a person between ten (10) and seventeen (17) years of age, inclusive, to hunt upland game birds (except turkeys), migratory game birds, cottontail rabbits, huntable furbearers, and unprotected and predatory birds and animals of this state only when accompanied in the field by the holder of an adult Idaho hunting license. A person holding this license shall purchase the appropriate required permits. A license of this kind may be issued to a resident or nonresident person, notwithstanding the provisions of section 36-405, Idaho Code, upon payment of a fee as specified in section 36-416, Idaho Code.

(n) Nonresident Disabled American Veteran. A license entitling a person to participate in a hunt in association with a qualified organization. "Qualified organization," as used in association with these licenses, shall be as defined in section 36-408(7), Idaho Code.

SECTION 3. That Section 36-409, Idaho Code, be, and the same is hereby amended to read as follows:

36-409. GAME TAGS -- PERMITS -- FEES -- PENALTY. (a) Resident Game Tags. A resident who has obtained a permit to hunt, as provided in section 36-401, Idaho Code, or has purchased or obtained a license to hunt, as provided in section 36-406, Idaho Code, upon payment of the fees provided herein shall be eligible to receive a resident game tag to hunt and kill a moose, bighorn sheep, mountain goat, elk, deer, antelope, mountain lion, bear, wolf, sandhill crane or turkey in accordance with the laws of this state and rules promulgated by the commission; provided further, that any person who holds a senior resident combination license or any person who holds a junior combination or hunting license or any disabled American veteran who holds a disabled combination license, may be issued a bear, deer, elk, or turkey tag for a fee as specified in section 36-416, Idaho Code; provided further, that resident game tags may be issued only to those persons who meet residency requirements of subsection (s) of section 36-202, Idaho Code. In the event

1 an emergency is declared to open a season to protect private property as pro-
2 vided in section 36-106(e) 6. (B), Idaho Code, the affected landowner or his
3 designee shall be eligible to receive a resident deer, elk or antelope tag
4 without charge; provided further, that resident game tags may be issued only
5 to persons who qualify as residents pursuant to section 36-202, Idaho Code.

6 (b) Nonresident Game Tags. A nonresident who has purchased a license
7 to hunt, as provided in section 36-407(a) or (k), Idaho Code, or has ob-
8 tained a license to hunt, as provided in section 36-406(e), Idaho Code, or
9 a resident who has purchased or obtained a license to hunt, as provided in
10 section 36-406, Idaho Code, upon payment of the fees provided herein, shall
11 be eligible to receive a nonresident tag to hunt and kill a moose, bighorn
12 sheep, mountain goat, elk, deer, antelope, mountain lion, bear, wolf, sand-
13 hill crane or turkey in accordance with the laws of this state and rules
14 promulgated by the commission; provided further that a nonresident who has
15 purchased a license to hunt, as provided in section 36-407(k), Idaho Code,
16 shall be eligible to receive a junior mentored deer, elk, bear, or turkey tag
17 for a fee as specified in section 36-416, Idaho Code.

18 (c) Game Tags Required. The appropriate tag must be had for the hunting
19 or taking of each and every one of the aforementioned wildlife. Provided,
20 however, that the requirements for a wolf tag, a mountain lion tag or a bear
21 tag, as to different periods of time and areas of the state, shall be deter-
22 mined and specified by the commission. Provided further, that the commis-
23 sion may promulgate rules to allow a nonresident deer or elk tag to be used to
24 hunt and kill either a bear, wolf or a mountain lion during the open season
25 for deer or elk in that area, unit or zone as may be specified by the commis-
26 sion. All of said tags are to bear and have serial numbers.

27 (d) Game Tag to Be Validated and Attached to Carcass. As soon as any
28 person kills any wildlife for which a tag is required, said tag, belonging to
29 him, must be validated and attached to said wildlife in a manner provided by
30 commission rule.

31 (e) Archery Permits. In addition to meeting the license and tag re-
32 quirements provided in this chapter, any person participating in any con-
33 trolled or general game season which has been specifically designated as an
34 archery hunt must have in his possession an archery hunt permit which may be
35 purchased for a fee as specified in section 36-416, Idaho Code.

36 (f) Muzzleloader Permit. In addition to meeting the license and tag
37 requirements provided in this chapter, any person participating in any con-
38 trolled or general game season which has been specifically designated as a
39 muzzleloader hunt must have in his possession a muzzleloader permit which
40 may be purchased for a fee as specified in section 36-416, Idaho Code.

41 (g) Hound Hunter Permit -- Resident -- Nonresident. Any person using a
42 dog for the purpose of hunting or for taking, as defined in section 36-202,
43 Idaho Code, big game or furbearing animals must have in his possession a
44 valid hound hunter permit which may be purchased by resident and nonresident
45 license holders for a fee as specified in section 36-416, Idaho Code.

46 (h) Nonresident Bird of Prey Capture Permit. The commission may, under
47 rules as it may prescribe, issue a nonresident bird of prey capture permit.
48 This capture permit may be purchased by any licensed, nonresident falconer
49 for capturing birds of prey in Idaho. The fee for the permit shall be as spec-
50 ified in section 36-416, Idaho Code, and the permit shall be issued under the

1 condition that the nonresident's home state allows reciprocal raptor cap-
 2 turing privileges for Idaho falconers.

3 (i) Wildlife Management Area (WMA) Upland Game Bird Permit. The com-
 4 mission may, under rules as it may prescribe, issue a wildlife management
 5 area upland game bird permit that must be purchased by all persons over six-
 6 teen (16) years of age prior to hunting stocked upland game birds on state
 7 wildlife management areas designated by the commission. The fee for the per-
 8 mit shall be as specified in section 36-416, Idaho Code.

9 (j) Bear Baiting Permit. The commission may, under rules as it may pre-
 10 scribe, issue a bear baiting permit. Any person placing or using bait as may
 11 be allowed by rule for the purpose of attracting bear must have in his posses-
 12 sion a valid bear baiting permit which may be purchased by a license holder
 13 for a fee as specified in section 36-416, Idaho Code.

14 (k) Migratory Bird Harvest Information Program Permit. The commission
 15 may, as provided by federal laws or regulations and under rules as it may pre-
 16 scribe, issue a migratory bird harvest information program permit that must
 17 be purchased by all persons prior to hunting migratory game birds as required
 18 by federal law or regulations. The fee for the permit shall be as specified
 19 in section 36-416, Idaho Code.

20 (l) Dog Field Trial Permit. The commission may, under rules as it may
 21 prescribe, issue a dog field trial permit to any person using birds for dog
 22 field trials or training as may be allowed by rule. The permit may be pur-
 23 chased for a fee as specified in section 36-416, Idaho Code.

24 (m) Idaho Nursing Home Facility Resident Fishing Permit. The commis-
 25 sion may, under rules as it may prescribe, issue an Idaho nursing home facil-
 26 ity resident fishing permit that must be purchased by an Idaho nursing home
 27 facility to allow residents of its facility to fish during the open season.
 28 Facilities eligible to purchase this permit are: intermediate care facili-
 29 ties providing twenty-four (24) hour skilled nursing care, assisted living
 30 facilities providing twenty-four (24) hour extensive assistance and skilled
 31 nursing facilities providing twenty-four (24) hour skilled nursing. By pur-
 32 chasing this permit the facility assumes full responsibility for and con-
 33 trol over the facility residents while using the permit. All laws, rules and
 34 proclamations apply to the use of this permit and it is the responsibility
 35 of the facility to assure compliance with all laws, rules and proclamations.
 36 In case of a violation the facility shall be held accountable and any cita-
 37 tions shall be issued to the facility. The permit may be purchased for a fee
 38 as specified in section 36-416, Idaho Code.

39 (n) Disabled American Veteran Game Tags. Any nonresident disabled
 40 American veteran participating in a hunt in association with a qualified
 41 organization may be issued a bear, deer, elk or turkey tag for a fee as spec-
 42 ified in section 36-416, Idaho Code. "Qualified organization," as used in
 43 association with these tags, shall be as defined in section 36-408(7), Idaho
 44 Code.

SECTION 4. That Section 36-416, Idaho Code, be, and the same is hereby amended to read as follows:

36-416. SCHEDULE OF LICENSE FEES. ~~(1)~~

(a) Sport Licenses

License	Resident	Non-Resident
Combination License	\$ 31.75	\$ 238.25
Hunting License	11.00	153.00
Fishing License	24.00	96.50
Sr. Combination License (65 and Older)	10.00	N/A
Sportsman's Pak License	108.50	N/A
Jr. Combination License	15.75	N/A
Jr. Hunting License	5.50	N/A
Jr. Mentored Hunting License	N/A	30.00
Youth Small Game License	5.50	18.25
Youth Hunter Education Graduate Hunting License	3.25	3.25
Jr. Fishing License	12.00	20.00
Disabled Combination License	3.25	N/A 3.25
Disabled Fishing License	3.25	N/A
Military Furlough Combination License	15.75	N/A
Military Furlough Fishing License	15.75	N/A
Small Game Hunting License	N/A	96.00
3 Day Small Game Hunting License	N/A	33.75
Daily Fishing (1st-day) License	9.75	11.00
Consecutive Day Fishing License	5.00	6.00
3 Day Fishing with Salmon/Steelhead Permit	N/A	35.75
Nongame Hunting License	N/A	33.75

For purposes of this subsection, disabled combination licenses provided to nonresidents shall be limited to nonresident disabled American veterans participating in a hunt in association with a qualified organization. "Qualified organization," as used in association with these licenses, shall be as defined in section 36-408(7), Idaho Code.

(b) Sport Tags

Deer Tag	\$ 18.00	\$ 300.00
Controlled Hunt Deer Tag	18.00	300.00
Jr. or Sr. or Disabled American		
Veteran Deer Tag	9.00	N/A 9.00
Jr. Mentored Deer Tag	N/A	22.00
Elk A Tag	29.00	415.00
Elk B Tag	29.00	415.00
Controlled Hunt Elk Tag	29.00	415.00
Jr. or Sr. or Disabled American		
Veteran Elk Tag	14.75	N/A 14.75
Jr. Mentored Elk Tag	N/A	38.00
Bear Tag	9.75	184.25
Jr. or Sr. or Disabled American		
Veteran Bear Tag	5.00	N/A 5.00
Jr. Mentored Bear Tag	N/A	22.00
Turkey Tag	18.00	78.25
Jr. or Sr. or Disabled American		
Veteran Turkey Tag	9.00	N/A 9.00
Jr. Mentored Turkey Tag	N/A	18.00
Mountain Lion Tag	9.75	184.25
Gray Wolf Tag	9.75	184.25
Antelope Tag	29.50	310.00
Moose Tag	165.00	2,100.00
Sheep Tag	165.00	2,100.00
Goat Tag	165.00	2,100.00
Sandhill Crane Tag	18.00	65.75

For purposes of this subsection, Jr. or Sr. or disabled American veteran tags provided to nonresidents shall be limited to nonresident disabled American veterans participating in a hunt in association with a qualified organization. "Qualified organization," as used in association with these tags, shall be as defined in section 36-408(7), Idaho Code.

1	(c) Sport Permits		
2	Bear Baiting Permit	\$ 11.00	\$ 30.00
3	Hound Hunter Permit	11.00	168.00
4	WMA Upland Game Bird		
5	Permit	22.00	50.00
6	Archery Permit	16.50	18.25
7	Muzzleloader Permit	16.50	18.25
8	Salmon Permit	11.00	24.00
9	Steelhead Permit	11.00	24.00
10	Federal Migratory Bird Harvest Info.		
11	Permit	0.00	3.00
12	Disabled Archery Permit	0.00	0.00
13	2-Pole Fishing Permit	12.00	13.75
14	Turkey Controlled Hunt		
15	Permit	6.00	6.00
16	Sage/Sharptail Grouse		
17	Permit	3.00	3.00
18	Disabled Hunt Motor Vehicle		
19	Permit	0.00	0.00
20	(d) Commercial Licenses and Permits		
21	Raptor Captive Breeding		
22	Permit	\$ 65.75	\$ 78.75
23	Falconry Permit	27.25	N/A
24	Falconry Capture Permit	N/A	168.00
25	Jr. Trapping License	5.50	N/A
26	Trapping License	25.00	300.00
27	Taxidermist-Fur Buyer License		
28	5 year license	175.00	N/A
29	1 year license	38.25	168.25
30	Shooting Preserve Permit	329.75	N/A
31	Commercial Wildlife Farm		
32	License	137.50	N/A
33	Commercial Fishing License	110.00	265.00
34	Wholesale Steelhead		
35	License	165.00	198.25

1	Retail Steelhead Trout Buyer's		
2	License	33.00	39.25
3	(e) Commercial Tags		
4	Bobcat Tag	\$ 3.00	\$ 3.00
5	Otter Tag	3.00	3.00
6	Net Tag	55.00	65.75
7	Crayfish/Minnow Tag	1.25	3.00
8	(f) Miscellaneous-Other Licenses		
9	Duplicate License	\$ 5.50	\$ 6.50
10	Shooting Preserve License	11.00	22.00
11	Captive Wolf License	22.00	N/A
12	(g) Miscellaneous-Other Tags		
13	Duplicate Tag	\$ 5.50	\$ 6.50
14	Wild Bird Shooting Preserve		
15	Tag	5.50	6.50
16	(h) Miscellaneous-Other Permits-Points-Fees		
17	Falconry In-State Transfer		
18	Permit	\$ 5.50	\$ N/A
19	Falconry Meet Permit	N/A	26.25
20	Rehab Permit	3.00	3.00
21	Educational Fishing Permit	0.00	0.00
22	Live Fish Importation		
23	Permit	3.00	3.00
24	Sport Dog and Falconry Training		
25	Permit	3.00	3.00
26	Wildlife Transport Permit	3.00	3.00
27	Scientific Collection		
28	Permit	50.00	50.00
29	Private Park Permit	21.75	26.25
30	Wildlife Import Permit	21.75	26.25
31	Wildlife Export Permit	11.00	13.25
32	Wildlife Release Permit	11.00	13.25
33	Captive Wildlife Permit	21.75	26.25
34	Fishing Tournament Permit	21.75	25.00
35	Dog Field Trial Permit	33.00	40.00

1	Live Fish Transport Permit	21.75	26.25
2	Controlled Hunt Application		
3	Fee	4.50	13.00
4	Fee for Application for the Purchase of		
5	Controlled Hunt Bonus or Preference		
6	Points	4.50	4.50
7	Nursing Home Fishing Permit	33.00	N/A